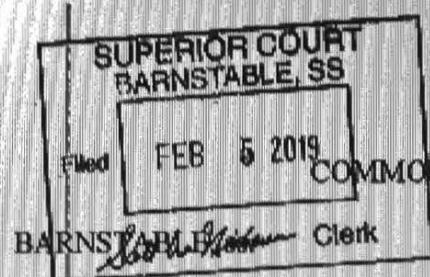


p#63



COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 1572-00335

CHRISTOPHER KANAGA and
LARAJA & KANAGA, P.C.,

Plaintiffs,

v.

SHELDON MANUEL,

Defendant.

**PLAINTIFFS' OPPOSITION TO DEFENDANT'S UNTIMELY MOTION IN LIMINE
TO ATTACK ATTORNEY KANAGA'S REPUTATION THROUGH HIS RELIGIOUS
AFFILIATION AND MEMBERSHIP IN THE COMMUNITY OF JESUS**

In violation of the letter and the spirit of this Court's rules and pre-trial orders, Defendant ("Manuel") has filed an untimely motion in limine in which she seeks to have this Court allow her to attack the reputation and character of Mr. Kanaga at trial - - not through character evidence involving Mr. Kanaga himself - - but through his religious affiliation and membership in the Community of Jesus. This is precisely what the First Amendment, our evidentiary rules, and controlling case law do not permit. Indeed, as made clear by Manuel's pre-trial brief, Manuel has an untethered fixation with Mr. Kanaga's church, the Community of Jesus, which she views as a "cult."¹ Manuel's obsession with Mr. Kanaga's church is something that her own lawyers have recently characterized to the Appeals Court as constituting "paranoia." See Exhibit A - McHugh Aff. (Jan. 25, 2019) at ¶8 ("This resulting paranoia [about the "cult"] has made her

¹ By way of limited example, Manuel devotes a significant portion of her pre-trial brief to characterizing Mr. Kanaga's church as a "cult," responsible in her mind for hacking her computer, sexually abusing individuals, and obtaining the assets of wealthy members. See Pre-Trial Memorandum at pp.15-17.

a difficult client"); Exhibit B - McHugh Aff. (dated Dec. 6, 2018) at ¶3 ("Our client suffers from paranoia").

Having no evidence to support her outrageous false claims that Plaintiffs: [1] attempted to pay off her own lawyers; [2] attempted to pay off judges; and [3] attempted to pay off members of law enforcement, Manuel's gambit is to "play" on religious prejudice by introducing her "paranoid" allegations relating to the Community of Jesus, her allegations against certain members of the church, her own views on the Community of Jesus, and her deceased husband's purported views on the Community of Jesus. As discussed below, courts do not tolerate such irrelevant and highly prejudicial conduct. See, e.g., Commonwealth v. Murphy, 48 Mass. App. Ct. 143, 144 (1999) ("questioning that appears to pander to religious prejudice is particularly disfavored.") (emphasis added). As discussed below, Manuel's motion must be denied for 3 reasons.

1. **Manuel's Motion Is Untimely And Filed In Violation Of The Court's Rules**

As a threshold matter, Manuel's motion is untimely and violates Superior Court Rule 6, Standing Order 1-88, and this Court's pre-trial order. Specifically, on February 23, 2018, the Court ordered the case to trial beginning on August 6, 2018. The trial was then continued and re-scheduled for February 11, 2019. In connection with the revised Final Pre-Trial Order dated September 13, 2018, Superior Court Rule 6, and Superior Court Standing Order 1-88, the parties were ordered to file no later than 5 business days before trial, among other things, all motions in limine, oppositions thereto, and reply briefs in compliance with Superior Court Rule 9A. To ensure that Defendant had sufficient time to oppose Plaintiffs' motions in limine and to ensure that Plaintiffs had sufficient time to prepare any necessary reply briefs, Plaintiffs served their motions in limine on January 3, 2019 - - over a month before trial. In stark contrast, Manuel

filed her motion on January 31, 2019 in an effort to “jam” counsel immediately before trial.

Manuel’s game-playing and attempt to circumvent the Court’s rules and pre-trial orders should not be tolerated. On that basis alone, her motion should be denied.

2. **It Is Mr. Kanaga’s Reputation, Not The Reputation Of His Church Or Other Members of His Church That Is At Issue In This Case**

Neither the Community of Jesus, nor its members are parties to this lawsuit. As a result, their reputations are not relevant to this lawsuit. Equally irrelevant are Manuel’s views that her lawsuits involving other members of Mr. Kanaga’s church somehow involved the Community of Jesus. By way of limited example, Manuel asserts in her pre-trial brief in this case that:

The Defendant is firmly convinced that the actions in the probate court in Norfolk County, attacking her marriage to David Manuel was malicious and legally unsupportable and designed to secure the estate from her for Ms. Tingley, and ultimately for the Community of Jesus.

Pre-trial Memorandum at p. 4. Ms. Manuel’s dispute with Ms. Tingley in In Re: Estate of David Manuel, Norfolk Probate and Family Court, Docket No. 13P1370, is completely irrelevant to Mr. Kanaga’s reputation. Unfortunately, it is indicative of Manuel’s conduct as a litigant and the disruption that her motion in limine seeks to visit upon this trial, the Court, and the Plaintiffs. Indeed, Judge Menno sanctioned Manuel and awarded Ms. Tingley \$25,000 in attorney’s fees, costs, and expenses, finding:

Sheldon Manuel has continued to file repetitive, baseless, and incorrect pleadings....Ms. Manuel is an out-of-control litigant and this Court shall not tolerate any more of this behavior.

Exhibit C – Judge Menno Order dated January 6, 2017 (emphasis added).

To be clear, Plaintiffs stipulate that given the defamation claims, Mr. Kanaga’s reputation is at issue. In other words, what people think of Mr. Kanaga himself is relevant.² As a result,

² Manuel’s reliance on Mr. Kanaga’s affidavit that he, as a Eucharistic Minister, feels “in some sense responsible for the Community and its reputation” as a basis to delve into his church, its members, and their collective

character evidence, which is normally inadmissible in civil cases, may be admissible when (1) the evidence goes directly to the character of the party; and (2) its probative nature is not substantially outweighed by the danger of unfair prejudice. See Brodin, M. and Avery, M., handbook of Massachusetts Evidence, at pp. 150-152 (8th Ed. 2007). The appropriate way of rebutting good reputational evidence is offering either opinion evidence as to Mr. Kanaga's reputation by individuals from the community with sufficient knowledge to offer such an opinion or offering specific instances of Mr. Kanaga's prior conduct relevant to the reputation at issue, consistent with Massachusetts Proposed Rule of Evidence 404(b). Id. at pp. 148-152 and n.90 ("The defendant may offer evidence of the plaintiff's poor reputation in those respects assailed the alleged slander in mitigation of damages"); Massachusetts Guide to Evidence at §§404-405, pp. 34-42 (2018 Ed.).

However, Manuel has no interest in complying with the rules of evidence by offering opinion evidence as to Mr. Kanaga's reputation, rather she wishes to attack his reputation by impugning his religious affiliation, making unfounded allegations against his church, or attacking the conduct or reputations of non-parties to this litigation. This is precisely what the law does not permit.

3. Manuel's Efforts To Inject Religious Affiliation And Allegations Against Other Individuals Into This Case Violates The First Amendment And Well-Established Evidentiary Rules

Rather than presenting evidence concerning Mr. Kanaga's reputation, Manuel (and her counsel) have elected to pursue a gambit of trying to introduce irrelevant and highly inflammatory evidence attacking and belittling Mr. Kanaga's church, his religious beliefs, and

reputations is disingenuous, to put it mildly. As Mr. Kanaga's affidavit makes clear, he takes his reputation for ethics, honesty, and lawful conduct very seriously, particularly given that he volunteers for charities, including his church, because he knows that a blemish on his reputation could be imputed by association to those charities and entities that he is involved in.

other members of the church. This is precisely what the First Amendment and our rules of evidence do not permit. See, e.g., Lee v. Weisman, 505 U.S. 577, 589 (1992) ("The First Amendment's Religion Clauses mean that religious beliefs and religious expression are too precious to be either proscribed or prescribed by the State. The design of the Constitution is that preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere, which itself is promised freedom to pursue that mission."); Magazu v. Dep. of Children and Families, 473 Mass. 430, 443-444 (2016) ("Religious beliefs—what a person thinks, what faith he holds in his heart and mind—are indeed protected absolutely from governmental interference."); Commonwealth v. Dahl, 430 Mass. 813, 823 (2000); Proposed Mass. R. Evid. 610 ("Evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature his credibility is impaired or enhanced"); Commonwealth v. Murphy, 48 Mass. App. Ct. 143, 144 (1999) ("[q]uestioning that appears to pander to religious prejudice is particularly disfavored.").

Indeed, as the Appeals Court has cautioned:

In general, the State and Federal Constitutions remove all matters of religious doctrine from the jurisdiction of secular officials. Consequently, use of a witness's religious beliefs for the purpose of enhancing or discrediting his or her credibility is a "long and consistently disfavored" practice...

Moreover, the way the issue played out at trial shows how difficult it is to keep a secular focus on exploration of religious doctrine, belief or affiliation and why, as a result, inquiry into those areas ought to be undertaken only with the greatest of care.

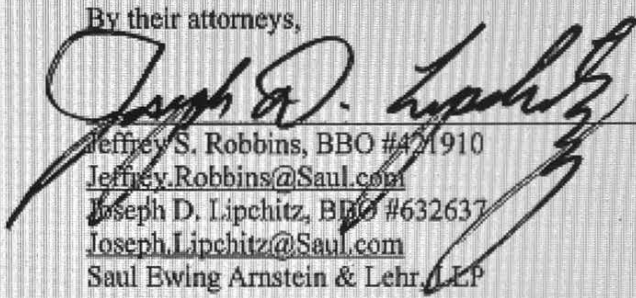
Commonwealth v. Kartell, 58 Mass. App. Ct. 428, 436-437 (2003) (emphasis added). That warning is particularly warranted in this case where the Court is dealing with a litigant in Ms. Manuel, whom Courts have recognized as an "out-of-control litigant" and her own counsel have characterized as "paranoid."

In light of First Amendment right of religious association and practice as well as the basic evidentiary rules, it is not surprising that Manuel's motion fails to cite a single case supporting her effort to undermine Mr. Kanaga's positive reputation by raising his religious affiliation, or the reputations of his church or its members. This is because court after court in numerous different contexts have ruled that such evidence is irrelevant and the danger of unfair prejudice substantially outweighs any probative value. See, e.g., Jones v. TCI Cablevision of Utah, Inc., 221 F.3d 1352 (10th Cir. 2000) (affirming district court's exclusion of evidence of plaintiffs church involvement and relationships); Government of Virgin Islands v. Petersen, 553 F.2d 324, 329 (3rd Cir. 1997) (affirming exclusion of religious affiliation and beliefs as irrelevant because a person "may or may not act in accordance with a professed belief"); Adams v. United States, 2008 WL 4998393, *3 (D. Idaho Nov. 21, 2008) (ruling that "religious involvement" is irrelevant and "unnecessary even as background information," and granting motion to exclude evidence of parties' membership in The Church of Jesus Christ of Latter-day Saints); Moore v. Avon Products, Inc., 2007 WL 2900204, at *9 (N.D. Cal. Oct. 4, 2007) (excluding evidence of defendant's religious practices and views as irrelevant and prejudicial; "it is near axiomatic that not every principle expressed in a particular religion's teachings can be imputed to adherents of that faith.") (emphasis added); Finch v. Hercules Inc., 1995 WL 785100, at *5 (D. Del. Dec. 22, 1995) ("Evidence of Finch's and Engebretsen's specific denomination is irrelevant to the substantive issues in this case; even if it were relevant, its probative value is substantially outweighed by the danger of undue prejudice to the plaintiff....this evidence will only serve to distract the jury or take on an inflated and unwarranted significance. The Court therefore holds that evidence of Finch's and Engebretsen's membership in the Mormon church is inadmissible").

Consequently, Manuel's motion in limine must be denied and Plaintiff's Motion In Limine To Preclude Defendant From Raising During Opening Or Introducing Evidence During the Trial Relating To Mr. Kanaga's Membership in The Community of Jesus must be granted so that irrelevant, extraneous, and high prejudicial material relating to religious affiliation, religious beliefs, and Manuel's views of the reputations of non-parties are not injected into this case.

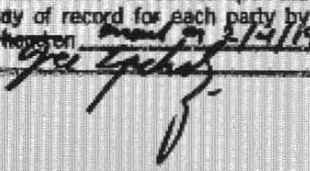
CHRISTOPHER W. KANAGA AND
LARAJA & KANAGA, P.C.,

By their attorneys,



Jeffrey S. Robbins, BBO #421910
Jeffrey.Robbins@Saul.com
Joseph D. Lipchitz, BBO #632637
Joseph.Lipchitz@Saul.com
Saul Bwing Arnstein & Lehr, LLP
131 Dartmouth, Suite 501
Boston, MA 02116
(617) 722-3300

Dated: February 4, 2019

I hereby certify that a true copy of the
above document was served upon the
attorney of record for each party by
Mail/Handon mailed on 2/14/19


COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

No. 2018-P-1532

Sheldon Manuel

Appellant,

V.

Daniel B. Ford, Jr.

Appellee

Response to Appellee's Opposition

Appellant responds to appellees opposition to this motion urging
that the motions be granted for all the reasons set forth in the affidavit of
John F. McHugh submitted herewith.

Dated: West Springfield, Massachusetts
January 25, 2019

William J. Pudlo.
BBO 407640
PO 676 West Springfield,
MA, 01090
413-739-4000

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

No. 2018-P-1532

Sheldon Manuel

Appellant,

V.

Daniel B. Ford, Jr.

Appellee

State of New York

ss

County of New York

John F. McHugh, being duly sworn, deposes and says:

1. I am an attorney duly admitted to practice in the State of New York and in numerous Federal Jurisdictions and I have been authorized to assist with this matter by the Board of Bar Overseers. See. Exhibit 1.

2. Appellees objection to these motions is based upon findings of the Court below as to the appellant's conduct. However, she had no role in the issues now before this Court.

3. Dismissal of this appeal was due to the failure of appellant's attorneys to get the court's computer system to work properly. On December 10, 2018 Appellant timely served a motion to extend time to file her brief, then due on December 17, 2018.

Appellants attorneys believed they had succeeded in filing it. Appellees attorneys received it and indeed filed a reply, Docket No. 2 on December 11, 2018. Exhibit 2. On January 7, 2019 on inquiry to the clerk's office, appellant's attorneys were informed that while the appellee's reply was on file, appellant's motion was not. Thus, the appeal had been dismissed on January 3 but appellants attorneys did not receive notice.

4. This motion was finally filed on January 14, 2019. Docket no. 3. I had tried to file it on January 10 and 11 without success. After an hour and a half of holding for technical help on Friday, the 11th, I was told they would call back on January the 14. Thus, this motion was first filed on that date with the assistance of the Court's technical contractor.

5. On January 15, we learned that the motion to admit me pro hac vice was also not on file, thus, we were informed that no action would be taken on this motion as I was not admitted. Again, we believed that the pro hac vice motion had also been filed in December.

6. On January 16 the Pro Hac Vici motion was filed and this motion was re-filed both by Mr. Pudlo.

7. These are not intentional delays, nor was Ms. Manuel at all involved in the confusion resulting in any delay. These are computer issues which were clearly unintentional. Indeed, on Friday January 11 when I contacted the Clerk with regard to my inability to file this motion after numerous attempts, they took the case information and referred us to the e-file contractor. We were informed by the clerk's office that we were not alone in being unable to fathom the Court's e-filing system.

8. Respondent's objection to this application is based on characterizations of the appellant in decisions of the court below which are the subject of this appeal. All of the facts relied upon to determine the appellant was not credible occurred before current counsel appeared.

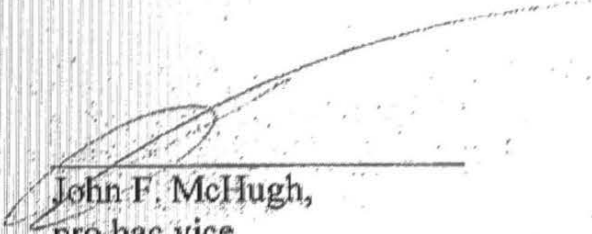
The appellant is a traveling minister who lectures, runs prayer services and sings accompanying herself on a small harp. She has health issues, having had three major surgery's during this case, each causing her to be disabled for significant periods of time. She is easily tired and has been in considerable pain causing her to be under the influence of opioid pain medicine. She was told by her now deceased husband that a "cult" of which he was, and this appellee-trustee is, a member, would stop at nothing to get all of his money once he died, confirmed, in her mind as the appellee in this small matter is represented by an expensive attorney. The resulting paranoia has made her a difficult client which, combined with her inability to pay fees, has caused her prior attorneys to withdraw or seek to withdraw. Thus, some of the most expensive attorneys in Boston have been able to convince two courts that appellant is faking her disability, thus foreclosing her from having a hearing.

9. This motion relates only to appellants new attorneys' inability to get timely prepared documents filed using the E-filing system.

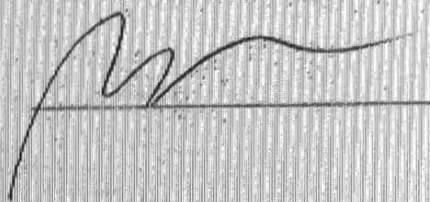
EXTENSION OF TIME

10. The length of the requested extension of time is due to the size of this file and the fact that we are handling a second appeal from Norfolk County which is closely associated with this appeal. The record is large and a mess. While current counsel were brought into the case immediately after dismissal, we were not present when most of the events giving rise to the appellant's poor reputation occurred. All we have are the submitted papers and transcripts of lawyer's arguments from which to draw the facts.

Wherefore, for all the reasons set forth above appellant requests that these motions be granted.


John F. McHugh,
pro hac vice
233 Broadway, Suite 2320
New York, N.Y. 10279
212-483-0875

Sworn before me this 25th day of January, 2019



MICHAEL J. POSPIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02PO6109188
Qualified in New York County
My Commission Expires 04-26-2020

Please note that ONLY THIS FORM, FILLED OUT ON THE WEBSITE, WILL BE ACCEPTED. Handwritten, annotated, copied, scanned or modified forms will be returned.

BOARD OF BAR OVERSEERS

REGISTRATION STATEMENT FOR PRO HAC VICE ATTORNEYS

Attorney name (first MI last, suffix): **John F. McHugh**

Email address: **JfmcHugh@aol.com**

Complete Business/Mailing Address:

**John F. McHugh
233 Broadway, Suite 2320
New York, N.Y. 10279**

Board of Bar Overseers
Administrative Use Only

Date Received: **11/13/2018**

Amount Paid: **\$301.00 (received 5/3/17)**

Date confirmation mailed: **11/15/2018**

Business phone: **(212) 483-0875**

Court in which pro hac vice admission is sought: **Massachusetts Court of Appeals**

Contact number for court: **(617) 725-8106**

Party to be represented: **Sheldon Manuel**

Docket number of case (if available): **BA14E0063QC New York**

Jurisdictions to which you have been admitted: (Use second page for additional jurisdictions.)

Type	Jurisdiction	License number
State <input checked="" type="checkbox"/>	New York	2083541
Federal <input checked="" type="checkbox"/>	Fed. Cir.	
Federal <input checked="" type="checkbox"/>	SDNY	
Federal <input checked="" type="checkbox"/>	2nd Cir.	
State <input checked="" type="checkbox"/>	EDNY	
Federal <input checked="" type="checkbox"/>	6th Circuit	
Federal <input checked="" type="checkbox"/>	Court of Federal Claims	
Federal <input checked="" type="checkbox"/>	DC Circuit	
Federal <input checked="" type="checkbox"/>	9th Cir.	

I certify that (check one): (☐) the party I am representing in the case for which I am seeking pro hac vice admission is an indigent client, and I understand that no pro hac vice fee is due, or (☒) I have included the required pro hac vice fee.

Further, I certify, under the pains and penalties of perjury, that I am admitted to practice and in good standing in every jurisdiction where I am admitted, and I acknowledge that I am subject to discipline by the Massachusetts Supreme Judicial Court and the Board of Bar Overseers. I understand I am limited in my legal practice in Massachusetts to the case identified above.

I certify the information I have supplied the Board of Bar Overseers is true and complete.

Signature (Please sign inside box above.)

Date: **November 9, 2018**

Sign, print and mail original form to: Board of Bar Overseers, 99 High Street, 2nd Floor, Boston, MA 02110-2320

2018-P-1532 Manuel BBO approval JFM

Supreme Judicial Court and Appeals Court of Massachusetts

Public Case Information

Case Search
• Involved Party
• Docket Number
• Attorney Appearance
• Lower Court
• Lower Court Judge
Court Calendars
• SJC Full Court
• SJC Single Justice
• AC Full Court
• AC Single Justice
More Information
• Contact Us
• Comments
• Helpful Links

Bottom

APPEALS COURT

Full Court Panel Case

Case Docket

SHELDON MANUEL vs. DANIEL B. FORD JR.
2018-P-1532

CASE HEADER

Case Status	Rule 17A notice sent	Status Date	01/03/2019
Nature	Equity	Entry Date	11/05/2018
Sub-Nature	Was it proper for court to dismiss	SJ Number	
Appellant	Plaintiff	Case Type	Civil
Brief Status	Awaiting blue brief	Brief Due	12/17/2018
Panel		Argued/Submitted	
Citation		Decision Date	
Lower Court	Barnstable Probate & Fam	TC Number	
Lower Ct Judge	Arthur C. Ryley, J.	TC Entry Date	11/21/2014
FAR Number		SJC Number	

INVOLVED PARTY

Sheldon Manuel
Plaintiff/Appellant
Awaiting blue brief

Daniel B. Ford Jr.
Defendant/Appellee
Awaiting red brief

John F. McHugh
Other interested party
Inactive

ATTORNEY APPEARANCE

William J. Pudlo, Esquire
Timothy J. Burke, Esquire
Christopher T. Bulens, Esquire
Claudia Gould, Esquire

Jeffrey S. Robbins, Esquire
Joseph D. Linchitz, Esquire

DOCKET ENTRIES

Entry Date	Paper	Entry Text
11/05/2018	#1	Lower Court Assembly of the Record Package
11/05/2018		Notice of entry sent.
12/11/2018	#2	OPPOSITION to motion to enlarge time for filing brief filed for Daniel B. Ford Jr. by Attorney Jeffrey S. Robbins.
01/03/2019		Notice preceding dismissal: Standing Order Governing Dismissals for Lack of Prosecution. *Notice.
01/14/2019	#3	Motion of Appellant to reinstate appeal and to action on motion to extend date for filing brief and appendix filed for Sheldon Manuel by Attorney John F. McHugh

2018-P-1532 Manuel Ex. 2

Mass Appellate Courts - Public Case Information

Page 2 of 2

DOCKET ENTRIES

01/15/2019	RE#3: No action will be taken on the within as it was submitted by out of state counsel who has not filed the proper papers to be admitted pro hac vice for purposes of this appeal. *Notice sent
01/16/2019 #4	MOTION to reinstate the appeal filed for Sheldon Manuel by Attorney William Pudlo.
01/16/2019 #5	MOTION to admit counsel pro hac vice filed for Sheldon Manuel by Attorney William Pudlo.
01/16/2019	RE#4 & 5: No action taken pending receipt of the docketing statement, now due on or before 01/21/2019. *Notice sent
01/17/2019 #6	Docketing Statement filed for Sheldon Manuel by Attorney William Pudlo.
01/17/2019 #7	Notice of change of Law Firm of Jeffrey S. Robbins, Esquire.
01/17/2019 #8	Notice of change of Law Firm of Joseph D. Lipchitz, Esquire.
01/23/2019 #9	OPPOSITION to appellants motion to reinstate the appeal and thereafter to enlarge time for filing brief filed for Daniel B. Ford Jr. by Attorney Joseph Dominic Lipchitz.

[< Top](#)

As of 01/23/2019 20:00

2019-01-24 11:18:45

2018-P-1532 Manuel Ex. 2

EXHIBIT B

**COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT**

No. 2005-P-1609

Sheldon Manuel

Appellant,

V.

Danial B. Ford, Jr.

Appellee

**AFFIDAVIT OF JOHN F. McHUGH IN SUPPORT OF
APPELLANT'S MOTION TO ENLARGE TIME TO FILE BRIEF**

I, John F. McHugh, do depose and say that:

1. I am an attorney admitted to practice in New York State, and several Federal Courts, and I have been admitted pro hoc vice to assist William J. Pudlo an attorney duly licensed in the Commonwealth of Massachusetts with privileges to practice before this Honorable Court, with a mailing address of P.O. Box 676, West Springfield, Massachusetts 01090. My address is 233 Broadway, Suite 2320, New York, N.Y. 10279. We represent the appellant.

2. Mr. Pudlo and I were substituted as the attorneys for the appellant in May of 2017 after this case had been proceeding for November of 2014.

3. Our client suffers from paranoia and has little faith in lawyers or the Courts, thus her behavior in this matter has set her up to be branded as dishonest. This mental condition has also rendered her personal copies of documents which may be part of this record to be unusable.

4. As we were substituted in May of 2017, we do not have reliable records of events before that. Thus, we have been seeking to obtain relevant documents from prior counsel.

4. We have been struggling in this matter and the similar case in Norfolk County to put together a complete record and in Norfolk County this problem is exacerbated by the lack of any transcripts of hearings critical to that case prior to August of 2016.

5. Here we are dealing with a record which we do not have convenient access to. To be sure that the appendix we need for this matter is accurate, we must hire a copy service to scan the court's files, as we did with the Norfolk County record. This is required by the Rule 18 list of documents the appellee has deemed needed for this matter, most of which we do not have nor do we presently have convenient access to.

6. Upon receiving the appellees list of needed documents today, arranged with the Assistant Registrar to make the file available and I asked our investigator to scan the entire record at the Probate and Family Court. They will get this done as quickly as possible but could not give me an estimate until they see the file.

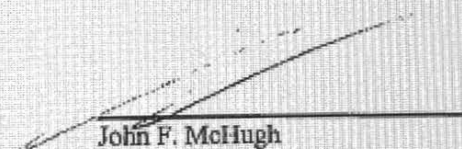
7. The Brief was to be filed with the Court on or about December 16, 2018 and despite searching the appellants files and those of prior counsel I have been unable to complete obtaining the record to date thus, cannot meet that schedule.

8. As a result of these circumstances I have filed this motion seeking the Court's allowance of the requested enlargement of time to file the Appellant's brief.

9. It is my belief that no prejudice will result to any party if the requested enlargement is granted.

The foregoing statements are true to the best of my information and belief and made under the pains and penalties of perjury.

Dated: December 6, 2018



John F. McHugh



EXHIBIT C

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT

Norfolk Division

Docket No.

13P1370

IN RE: ESTATE OF DAVID MANUEL

ORDER

At the hearing on January 5, 2017, it is the order of this Court as follows:

1. A gatekeeper order shall immediately issue preventing Sheldon Manuel from filing any additional pleadings or complaints in this Court without written permission of a judge. See gatekeeper order of even date.

2. Sheldon Manuel has continued to file repetitive, baseless and incorrect pleadings, pro se, while she has been represented by counsel. The Court will not hear her five motions that she has attempted to have heard this day: Motion to Protection Order No more Hacking, Spying, Harassment; Motion to Re-Send and Deny Order to Dismiss This Case; Motion to Object to Remove Current Temporary Executorialship; Motion to Amend Jurisdiction; Motion for Settlement.

3. This Court will not hear Mrs. Manuel's Motion to Stay Disposition of Assets Pending Appeal filed by her counsel as this motion has already been decided and denied by this Court previously on October 3, 2016.

4. Counsel for Mrs. Manuel's Motions to Withdraw are hereby allowed.

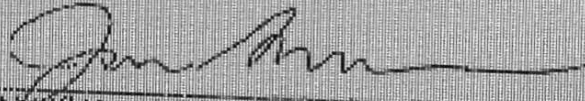
5. Personal Representative, Attorney Michelle Munnix's Motion for Payment to Personal Representative is allowed.

6. Blair Tingley's Motion for Costs, Expenses and Attorney Fees is allowed. Sheldon Manuel shall pay the amount of \$25,000 to Ms. Tingley from the funds she shall eventually receive from the estate at issue, prior to her receiving said funds.

7. As I stated from the bench on January 5, 2017, this Court has ruled and entered judgment in this case. Ms. Manuel is an out-of-control litigant and this Court shall not tolerate any more of this behavior. Her remedy is in the Appeals Court. This Court shall enforce the gatekeeper order.

By Order of the Court

January 6, 2017
DATE


JAMES V. MBNNO, JUSTICE

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT

Norfolk Division

Docket No.

13P1370

IN RE: ESTATE OF DAVID MANUEL

ORDER

At the hearing on January 5, 2017, it is the order of this Court as follows:

1. A gatekeeper order shall immediately issue preventing Sheldon Manuel from filing any additional pleadings or complaints in this Court without written permission of a judge. See gatekeeper order of even date.

2. Sheldon Manuel has continued to file repetitive, baseless and incorrect pleadings, pro se, while she has been represented by counsel. The Court will not hear her five motions that she has attempted to have heard this day: Motion to Protection Order No more Hacking, Spying, Harassment; Motion to Re-Send and Deny Order to Dismiss This Case; Motion to Object to Remove Current Temporary Executorship; Motion to Amend Jurisdiction; Motion for Settlement.

3. This Court will not hear Mrs. Manuel's Motion to Stay Disposition of Assets Pending Appeal filed by her counsel as this motion has already been decided and denied by this Court previously on October 3, 2016.

4. Counsel for Mrs. Manuel's Motions to Withdraw are hereby allowed.

5. Personal Representative, Attorney Michelle Munnix's Motion for Payment to Personal Representative is allowed.

6. Blair Tingley's Motion for Costs, Expenses and Attorney Fees is allowed. Sheldon Manuel shall pay the amount of \$25,000 to Ms. Tingley from the funds she shall eventually receive from the estate at issue, prior to her receiving said funds.

7. As I stated from the bench on January 5, 2017, this Court has ruled and entered Judgment in this case. Ms. Manuel is an out-of-control litigant and this Court shall not tolerate any more of this behavior. Her remedy is in the Appeals Court. This Court shall enforce the gatekeeper order.

By Order of the Court

January 6, 2017

DATE


JAMES V. MBNNO, JUSTICE